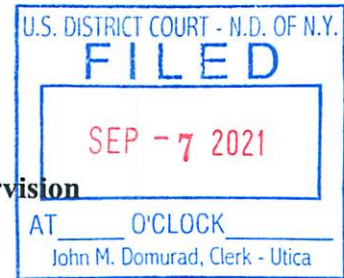


Prob12B
(7/93)

**United States District Court
for the Northern District of New York**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)



Name of Offender: Ronald Jackson

Case Number: 6:21-CR-162

Name of Sentencing Judicial Officer: Honorable Ann M. Donnelly, United States District Judge, ED/NY
Transferred: Honorable David N. Hurd; Effective May 12, 2021

Date of Original Sentence: December 4, 2017

Original Offense: Conspiracy to Distribute and Possess with Intent to Distribute 500 Grams or more of Cocaine

Original Sentence: 70 Months Imprisonment & 4 Years Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: June 17, 2020

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
☒ To modify the conditions of supervision as follows:

1. You shall perform 25 hours of community service. The site, schedule, and conditions shall be approved by the probation officer.
2. You shall serve 30 days in home detention, commencing on a date and under conditions to be set by the probation officer. Location and/or monitoring technology may be used to monitor your compliance. If such a system is used you shall pay all costs associated with the use of this system according to your ability to pay as determined by the probation officer.

CAUSE

On December 4, 2017, defendant Ronald Jackson was sentenced to 70 months imprisonment and 4 years supervised release in the Eastern District of New York (EDNY) following a conviction for Conspiracy to Distribute and Possess with Intent to Distribute 500 Grams or More of Cocaine, a Class B felony. He commenced his term of supervised release on June 17, 2020 in the Northern District of New York (NDNY).

On April 30, 2021, Jackson tested positive for marijuana (THC) at the U.S. Probation Office. As jurisdiction remained with EDNY at the time, this officer completed a 12A notification to EDNY and Jackson was referred to obtain a substance abuse evaluation, where he completed a period of brief intervention. No further Court action was recommended. As Jackson had maintained stable residency in Utica since his release, this office requested a transfer of jurisdiction to NDNY. The transfer became effective on May 18, 2021.

Jackson has continued to test positive for marijuana (THC) at the Probation Office, with the last positive drug test occurring on August 31, 2021. In total, this represents his 7th positive drug test within a 12-month period. To date,

Prob 12B

- 2 -

Request for Modifying the
Conditions or Terms of Supervision
with Consent of the Offender

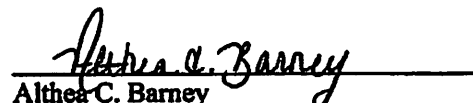
six specimens have been confirmed positive for the presence of a marijuana metabolite by the laboratory, including three samples indicated as dilute. Jackson maintains that he last used marijuana in mid-May 2021. However, on August 18, 2021, he admitted to continuing to use cannabinoid (CBD) products containing THC. Jackson expressed that he is struggling with family-related issues and acknowledges that he needs to develop appropriate coping mechanisms. He expressed a desire to re-engage with treatment services and reports being in the process of assessment at Insights of Helio Health in Utica, New York.

The U.S. Probation Office notes that according to 18 U.S.C. § 3583(g)(4), revocation is mandatory if the defendant tests positive for illegal controlled substances more than three times over the course of one year. The U.S. Probation Office is hesitant to recommend a course of action that is contrary to the statute but Jackson presents as sincere in wanting to address his substance abuse issues which is a positive step for him. The Probation Office proposes that Jackson's conditions be modified to include 30 days of home detention and 25 hours of community service to address the violation behaviors. In conjunction with his involvement with treatment, this office believes graduated consequences will impress upon Jackson the significance of abiding by his conditions and the need to improve his decision making, as well as the importance of being truthful about his substance use with this officer and the Court. He has been advised by this officer that further substance use will not be tolerated. Jackson is agreeable to the proposed modification as evidenced by the signed Probation Form 49. If the Court agrees with this proposed modification, a Probation Form 12B and Probation Form 49 will need to be filed with the Clerk's Office. With the exception of the proposed modification, no further action is requested at this time.

Reviewed by:

Respectfully submitted,



Ellen Phillips
Supervising U.S. Probation Officer


Althea C. Barney
U.S. Probation Officer

Date: 9/2/2021

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other


Signature of Judicial Officer
 September 7, 2021
 Date
 Utica, N.Y.

PROB 49
NNYrev.6/10

Waiver of Hearing to Modify Conditions
of Supervised Release or Extend Term of Supervision

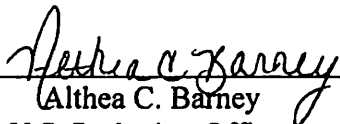
UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF NEW YORK

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my conditions of Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have a right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such hearing at no cost to myself if I am not able to retain counsel of my own choosing.

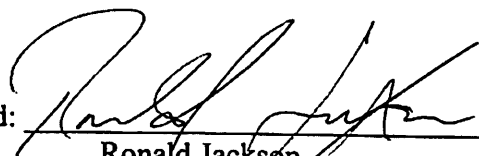
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. **I am fully aware this is only a proposal to the Court to address the alleged violation(s) and it is in no way binding upon the Court. The Court has the discretion to order a hearing which could result in a different sanction being imposed.** I agree to the following modification of my Conditions of Supervised Release or to the proposed extension of my term of supervision:

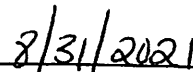
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2. You shall serve 30 days in home detention, commencing on a date and under conditions to be set by the probation officer. Location and/or monitoring technology may be used to monitor your compliance. If such a system is used you shall pay all costs associated with the use of this system according to your ability to pay as determined by the probation officer.

Witness:


Althea C. Barney
U.S. Probation Officer

Signed:


Ronald Jackson
Supervised Releasee


Date